

REMARKS

Claims 1-20 were previously allowed. New claims 21-28 were added by a previous amendment to more fully claim Applicant's invention. Applicant herein adds new claims 29-30 to more fully claim Applicant's invention. Based on these amendments to the claims, Applicant is submitting documents to add as a co-inventor Alain Georges. Namely, a new inventor declaration and statement of inventor are attached hereto. No new matter has been added.

Applicant's attorney requests an opportunity to discuss such matters with Examiner Chan if there are any questions regarding the foregoing.

Please charge any additional fees due, or credit any overpayment, to Deposit Account No. 50-0251.

No new matter has been added.

Respectfully submitted,



Alan R. Loudermilk
Registration No. 32,788
Attorney for Applicant(s)

October 22, 2004
Loudermilk & Associates
P.O. Box 3607
Los Altos, CA 94024-0607
408-868-1516

Attorney Docket No.: DBT-005

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

INVENTOR AND SPECIFICATION IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name, I believe that I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SYSTEMS AND METHODS FOR CREATING, MODIFYING, INTERACTING WITH AND PLAYING MUSICAL COMPOSITIONS

TITLE OF INVENTION

the specification of which:

- ☐ is attached hereto.
- ☐ was filed on 01/04/2002 as Application Serial No. _____ and was amended on 05/03/2004, 06/09/2004 and 09/24/2004 (*if applicable*).
- ☐ was described and claimed in PCT International Application No. _____ filed on _____ and amended under PCT Article 19 on _____ (*if any*).

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REVIEW OF PAPERS AND ACKNOWLEDGMENT OF DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I do not know and do not believe that the invention claimed in the above-identified specification was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, and that the same was not in public use or on sale in the United States of America more than one year prior to this application.

I acknowledge the duty to disclose to the Patent and Trademark Office information which I know is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN APPLICATIONS AND PRIORITY CLAIM

The invention claimed in the above-described specification has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application. I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> Yes <input type="checkbox"/> No

DOMESTIC PRIORITY CLAIM

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States patent application(s) listed below and, insofar as this application discloses or claims subject matter in addition to that disclosed in the below listed priority applications, I acknowledge the duty to disclose to the Patent and Trademark Office all information known by me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date(s) of the below-listed prior application(s) and the national or PCT international filing date of this application.

(APPLICATION SERIAL NO.)

(FILING DATE)

(STATUS: PATENTED, PENDING, ABANDONED)

POWER OF ATTORNEY

I hereby appoint Alan R. Loudermilk (Reg. No. 32,788), who is registered to practice before the Patent and Trademark Office, as my attorney with full power of substitution and revocation, to prosecute this application, to make alterations or amendments therein, to receive the patent and transact all business in the Patent and Trademark Office connected therewith.

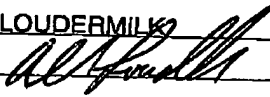
All CORRESPONDENCE should be addressed to:

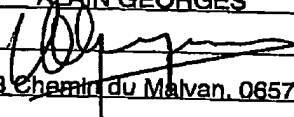
Loudermilk & Associates
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Los Altos, CA 94024-0607

All TELEPHONE INQUIRIES may be directed to Alan R. Loudermilk at (408) 868-1516.

I hereby declare I have read this Declaration, and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

HAND PRINT DATE BEFORE SIGNING

Full name of sole or first joint inventor ALAN R. LOUDERMILK Citizenship U.S.
Inventor's signature  Date 22-OCT-2004
Residence 1550 N. Lake Shore Drive, No. 16C, Chicago, IL 60610
Post Office Address 1550 N. Lake Shore Drive, No. 16C, Chicago, IL 60610

Full name of second joint inventor ALAIN GEORGES Citizenship France
Inventor's signature  Date 12-OCT-2004
Residence 523 Chemin du Malvan, 06570 Saint Paul de Vence, France
Post Office Address 523 Chemin du Malvan, 06570 Saint Paul de Vence, France

(Declaration and Power of Attorney - Addendum)

Attorney Docket No.: DBT-005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Loudermilk

Serial No.: 10/039,420

Filed: January 4, 2002

For: Systems and Methods for Creating,
Modifying, Interacting with and
Playing Musical Compositions

Examiner: Chan, Wing F.

Group Art Unit: 2643

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF INVENTOR

I, Alain Georges, am an inventor in the above-identified patent application. The amendment of inventorship submitted herewith is necessitated by a review of the claims as originally filed and subsequently amended. The inventorship error occurred without deceptive intent on my part.

Date:

12 OCT 04
Alain GeorgesStatement of Inventor
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